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8 Attorney for Cody Douglas Swain

9  
10 **UNITED STATES DISTRICT COURT**  
11  
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,

14 Case No. 2:13-cr-00444-KJD-VCF

15 Plaintiff,

16  
17 **STIPULATION TO CONTINUE**

18 v.

19 **REVOCATION HEARING**

20 CODY DOUGLAS SWAIN,

21 (Third Request)

22 Defendant.

23  
24 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
25 United States Attorney, and Jessica Oliva, Assistant United States Attorney, counsel for the  
26 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,  
Assistant Federal Public Defender, counsel for Cody Douglas Swain, that the Revocation  
Hearing currently scheduled on April 23, 2024, be vacated and continued to a date and time  
convenient to the Court, but no sooner than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. The parties are negotiating a resolution in this case.
2. Undersigned counsel is in the process of having Mr. Swain evaluated by a substance abuse counselor to determine eligibility for inpatient drug treatment programs.

1       3.     Mr. Swain is incarcerated and does not object to a continuance.

2       4.     Additionally, denial of this request for continuance could result in a  
3 miscarriage of justice.

4           This is the third request for a continuance of the revocation hearing.

5           DATED this 11th day of April, 2024.

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7       RENE L. VALLADARES  
8       Federal Public Defender

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10      JASON M. FRIERSON  
11      United States Attorney

12      By /s/ Rick Mula

13      RICK MULA  
14      Assistant Federal Public Defender

15      By /s/ Jessica Oliva

16      JESSICA OLIVA  
17      Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
CODY DOUGLAS SWAIN,  
Defendant.

Case No. 2:13-cr-00444-KJD-VCF

## ORDER

CODY DOUGLAS SWAIN,  
Defendant.

IT IS THEREFORE ORDERED that the revocation hearing currently scheduled for April 23, 2024 at 10:00 a.m., be vacated and continued to June 25, 2024 at the hour of 11:30 a.m.; or to a time and date convenient to the court and in courtroom 4A.

DATED this 17 day of April, 2024.

*Keat*

UNITED STATES DISTRICT JUDGE